

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

ROBERT ALLEN BAUTISTA

Plaintiff,

v.

PRICEWATERHOUSECOOPERS LLP,

Defendant.

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Civil Action No. 3:24-cv-02593-D

**DEFENDANT’S MOTION TO EXTEND TIME TO RESPOND TO
PLAINTIFF’S MOTION FOR LEAVE TO AMEND COMPLAINT**

Defendant PricewaterhouseCoopers LLP (“Defendant”) moves for an extension of time to file its Response to Plaintiff’s Motion for Leave to Amend Complaint (Dkt. 17), and in support of this motion states:

1. Plaintiff filed his Original Complaint on October 15, 2024. (Dkt. 3).
2. Although Plaintiff improperly served Defendant with this lawsuit and fails to state a claim upon which relief can be granted, Defendant responded and filed an Unopposed Motion to Abate and Compel Arbitration on November 15, 2024, pursuant to Plaintiff’s binding arbitration agreement with Defendant. (Dkt. 7).
3. The Court granted Defendant’s Motion on November 18, 2024, and Defendant initiated the Arbitration Proceedings accordingly (JAMS Ref No. 53100010704). (Dkt. 8).
4. Plaintiff then filed a slew of pleadings seeking to “reopen” the case: First Motion to Alter Judgment (Dkt. 9); Counter Motion to Reopen Case (Dkt. 10); Amended Complaint (Dkt. 11)¹; Motion to Reopen the Case (Dkt. 12).

¹ Defendant objected to Plaintiff’s filing of the Amended Complaint in its Response to Plaintiff’s Motion(s) to Reopen the Case. (Dkt. 15).

5. On December 19, 2024, Defendant Responded to Plaintiff's Motion(s) to Reopen the Case. (Dkt. 15).

6. On December 26, 2024, Plaintiff filed this Motion for Leave to File Amended Complaint (the "Motion"), which would actually be his Second Amended Complaint. (Dkt. 17, 17-1). Plaintiff made no attempts to confer with Defendant's counsel before filing this Motion.

7. In light of the intervening holidays as well as the winter weather closures this week, Defendant seeks additional time to prepare its response to the Motion, from January 13, 2025 to January 21, 2025.

8. Defendant's request is made in good faith and not for the purpose of delay, but so that justice may be done. Neither the parties nor the Court will be prejudiced by the requested extension.

WHEREFORE, Defendant respectfully requests an order providing that it have to and including January 21, 2025 to respond to Plaintiff's Motion.

Respectfully submitted,

/s/ Kristin Snyder Higgins

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ATTORNEYS FOR DEFENDANT

CERTIFICATE OF CONFERENCE

I hereby certify that on January 10, 2025, I attempted to confer with Plaintiff via email concerning the relief sought in this Motion. Plaintiff did not respond as to whether he was opposed or unopposed to the relief sought.

/s/ Kristin Snyder Higgins

Kristin S. Higgins

CERTIFICATE OF SERVICE

I hereby certify that on January 10, 2025, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record and to Plaintiff.

/s/ Kristin Snyder Higgins

Kristin S. Higgins